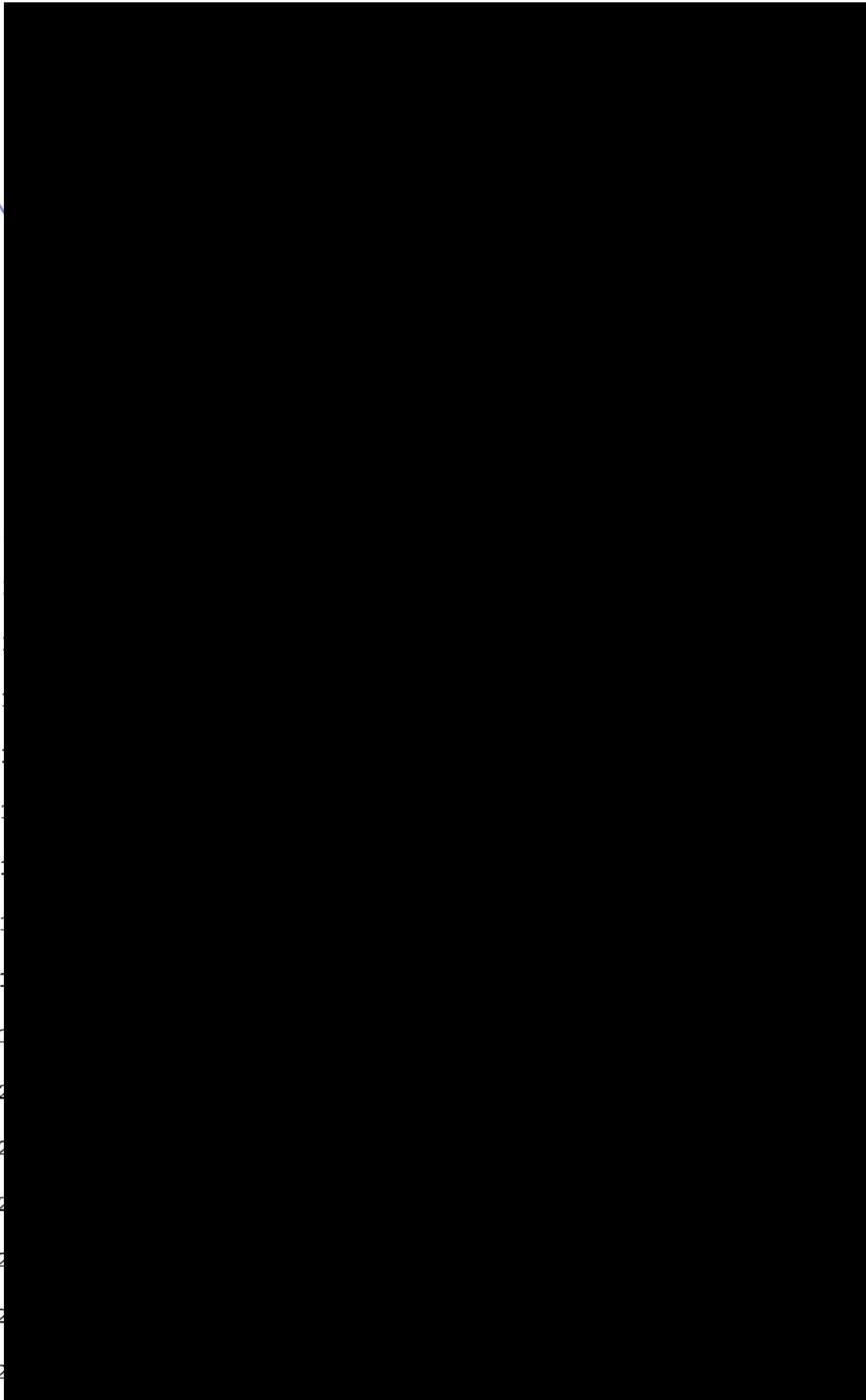


David W. Feigal, M.D., MPH



Do Not Disclose - Subject to Further Confidentiality Review

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF ARIZONA

3

4 * * * * *

5 IN RE: BARD IVC FILTERS * MDL NO.:

6 PRODUCTS LIABILITY * MD-15-02641-PHX-DGC

7 LITIGATION *

8 * * * * *

9 DO NOT DISCLOSE - SUBJECT TO FURTHER

10 CONFIDENTIALITY REVIEW

11

12 VIDEOTAPED DEPOSITION OF KEVIN T. SHIFRIN

13 NELSON MULLINS RILEY & SCARBOROUGH LLP

14 One Post Office Square

15 Boston, Massachusetts

16 September 8, 2016 9:21 a.m.

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20 Maryellen Coughlin, RPR/CRR

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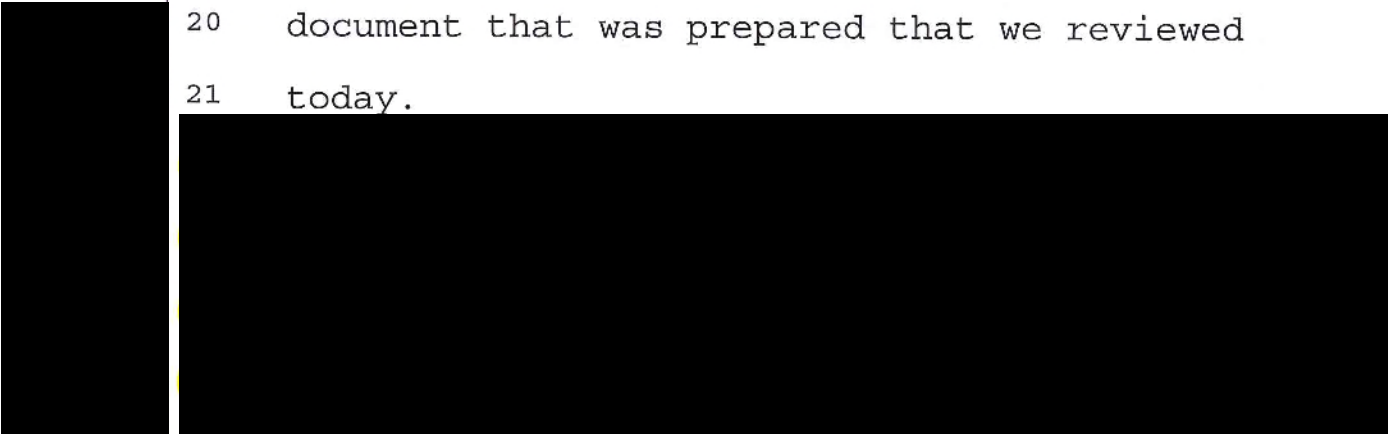
Do Not Disclose - Subject to Further Confidentiality Review

1 Q. But some of the things that we've
2 looked at today during the course of this
3 deposition in asking you to look back, as
4 Mr. Orent certainly pointed out, the number of
5 deaths that at least were reported associated
6 with the Recovery, correct?

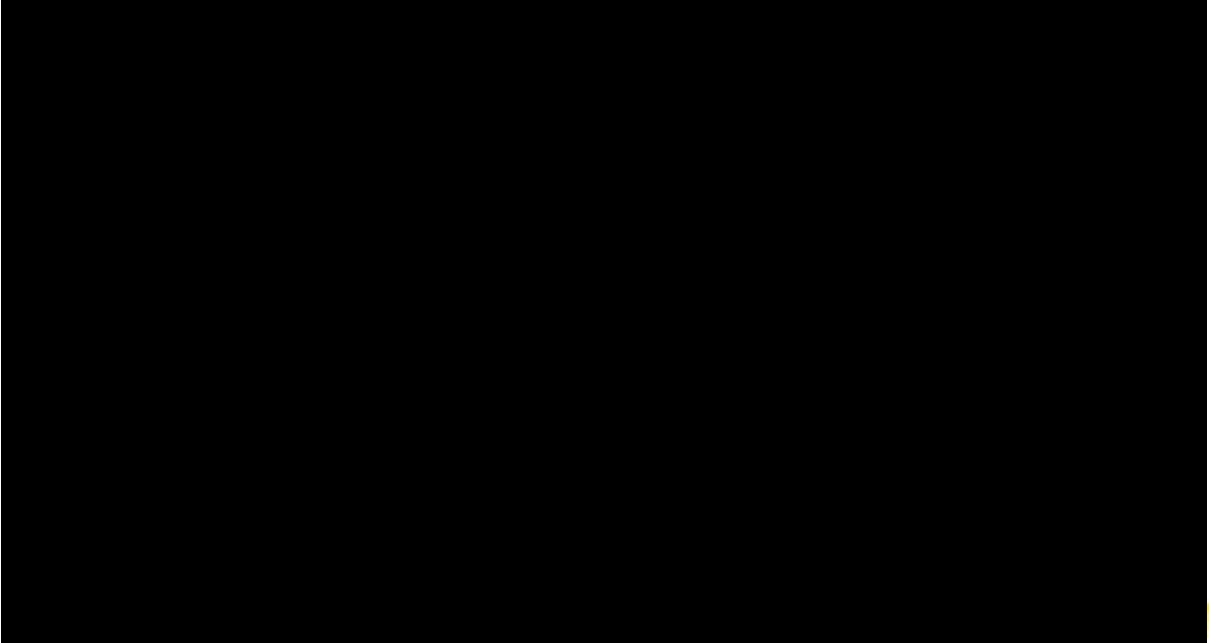
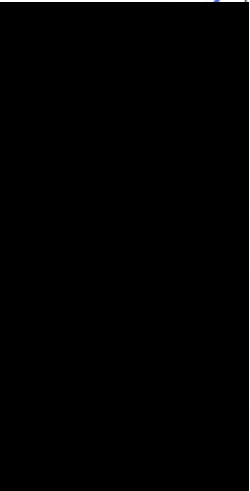
7 A. We did speak about patient deaths
8 associated with the filter.

9 Q. You and I have now looked at the
10 fact that as of the summer of 2004 your company
11 had to get together and prepare these answers to
12 frequently asked questions because of
13 complications that were being seen with the
14 Recovery, correct?

15 A. As I mentioned, frequently asked
16 questions were a routine thing that we've done
17 with lots of products either prelaunch or post
18 launch. Specifically as it relates to the IVC
19 filter, the Recovery filter, yes, there was a
20 document that was prepared that we reviewed
21 today.



Do Not Disclose - Subject to Further Confidentiality Review



10 Q. Deaths, complications, customers
11 not using the product anymore. That's not good,
12 right? That's not good for you as a company --

13 MR. ROGERS: Object to the form.

14 Q. -- right?

15 A. Patient deaths are never good for
16 anyone. We all know that. We take them very
17 seriously. Adverse events, the same thing, not a
18 good thing to happen. In a perfect world, they
19 would never happen, but in a perfect world people
20 wouldn't need medical devices 'cause they
21 wouldn't have the underlying conditions that
22 necessitate --

23 Q. And despite all those bad things
24 going on, what your company was doing at that
25 point in time was not necessarily worried about